

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

August 26, 2021

United States of America

v.

Ana Luisa PONCE
YOB: 1968 USC

Nathan Ochsner, Clerk of Court

) Case No. M-21-1837-M

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)
)
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)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 25, 2021 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 U.S.C § 952
21 U.S.C § 841

Offense Description

Knowingly and intentionally import into the United States from the United Mexican States approximately 76.41 kilograms of liquid methamphetamine, a Schedule II controlled substance, and did knowingly and intentionally possess with the intent to distribute approximately 76.41 kilograms of liquid methamphetamine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

See "Attachment A"

Continued on the attached sheet.

Approved AUSA Eliza Carmen

/s/ William J Simon

Complainant's signature

William J Simon, HSI Special Agent

Printed name and title



Judge's signature

Date: _____

City and state: _____

McAllen, TX

Nadia S. Medrano, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

On August 25, 2021, Ana Luisa PONCE (hereinafter referred to as "PONCE") arrived at the Hidalgo Port of Entry (POE). PONCE was the driver and sole occupant of a tan 2011 Dodge Journey with Texas license plates PTF1378. PONCE presented herself for admission as a United States citizen. Customs and Border Protection Officer (CBPO) Joana Flores asked PONCE if she had any fruits, plants, seeds, vegetables, animals, animal products, alcohol, tobacco, firearms, ammunition, narcotics, or United States currency in an amount exceeding \$10,000 to which PONCE replied she had a 24 pack of beer. PONCE stated she lives in Brownsville, TX but she was on her way to Houston, TX to visit her girlfriend and drop off the case of beer. PONCE stated the vehicle belongs to her nephew and she uses it daily because she does not own a vehicle. A visual inspection of the trunk revealed the case of beer and some snacks. Due to the vehicle not being registered to PONCE and the inconsistent travel itinerary, the vehicle was referred to secondary inspection.

During secondary inspection, CBPOs conducted a canine search which yielded a positive alert to the odor of narcotics in the center hump and undercarriage of the vehicle. A Z-Portal scan revealed anomalies in the fuel tank area of the vehicle. CBPOs then attempted to look inside the fuel tank with a fiber optic scope but were unable to perform the scope due to an anti-siphon plastic guard. An inspection of the undercarriage of the vehicle revealed aftermarket hose clamps, new fuel lines with mud splatter, and markings on the bolts that hold the fuel tank straps. The vehicle was then driven to the lift for further inspection. CBPOs were able to lower a corner of the fuel tank and open the fuel sending unit where they observed vacuum sealed bags containing a crystal-like substance. The bags were later found to contain 76.412 kilograms of a liquid substance that field tested positive for methamphetamine.

In a post Miranda interview, PONCE stated the following.

PONCE stated she had gone to Mexico to visit her cousin. PONCE said she had left Houston on the morning of Monday August 23, 2021, crossed into Mexico later that evening, and had stayed at her cousin's house in Reynosa, MX for 2 nights before returning to the United States. PONCE said she was bringing the beer back to Houston to give to her girlfriend and possibly sell it. PONCE said the vehicle belonged to a different cousin who lives in Brownsville, TX. PONCE stated she had seen her cousin from Brownsville at a grocery store in Houston and had asked him if she could borrow his car to visit her other cousin in Reynosa, MX. Agents then informed PONCE the vehicle she was driving was found to have narcotics concealed within the fuel tank. PONCE initially denied knowing there were narcotics concealed in the vehicle.

PONCE then stated that an unknown individual had called her and told her to cross into Mexico on foot from Brownsville, pick up a vehicle in Matamoros, MX and drive the vehicle to Reynosa, MX. PONCE said she had driven the vehicle from Matamoros to her cousin's house in Reynosa. PONCE stated someone had come and picked up the vehicle from her cousin's house on Monday night and dropped it back off on Tuesday morning. PONCE said she was supposed to return the vehicle to Houston but she did not know where she was supposed to drop it off.

PONCE said she had done this for the unknown individual once before but she did not want to say how much she had been paid. PONCE said she assumed she would get paid for this second trip. PONCE said she had a feeling something was wrong about the trip but she did not know what. PONCE stated she knew there was something in the car but she thought it was "soda", not methamphetamine. When asked if "soda" meant anything, PONCE stated "soda" meant "coke".